

SO ORDERED.

SIGNED this 20 day of April, 2021.




Joseph N. Callaway
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

IN RE:

PLATINUM CORRAL, L.L.C.,
Debtor.

**CASE NO. 21-00833-5-JNC
CHAPTER 11**

INTERIM ORDER

This matter came before the Court upon the motion (the “Motion”) of Platinum Corral, L.L.C. (the “Debtor”) for entry of an interim order (this “Interim Order”) and final order: (a) authorizing the Debtor to maintain and administer its Customer Programs and honor certain prepetition obligations related thereto, (b) granting related relief, and (c) scheduling a final hearing to consider approval of the Motion on a final basis, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this Court having found that the relief requested in the Motion is in the best interests of the Debtor’s estate, its creditors, and other parties in interest; and this Court having found that appropriate notice was given under the circumstances and that no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the “Hearing”); and this Court having determined that the legal and

factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted on an interim basis as set forth herein.
2. The final hearing (the “Final Hearing”) on the Motion shall be held at 1:00 p.m.

(Eastern Time) on May 5, 2021, at which time the Court will further consider the Motion. You may join the Final Hearing by using the ZoomGov Meeting link below, with the Meeting ID and Passcode provided:

Join ZoomGov Meeting

<https://www.zoomgov.com/j/1604993000?pwd=TVhLRkFsVmN4RTNINURWM0FpNHIyZz09>

Meeting ID: 160 499 3000

Passcode: 04613040

3. Any objections or responses to entry of a final order on the Motion shall be filed on or before 5:00 p.m., prevailing Eastern Time on April 29, 2021. In the event no objections to entry of a final order on the Motion are timely received, this Court may enter such final order without need for the Final Hearing.

4. The Debtor is authorized, but not directed, to continue to administer Customer Programs¹ currently in effect and honor any prepetition Customer Obligations related to the Customer Programs, on an interim basis, only to the extent necessary to avoid irreparable harm.

5. To avoid disrupting the Debtor’s payment processing services, which are essential to the Customer Programs, the Debtor is authorized to continue paying the Processing Obligations in the ordinary course of its business pursuant to the terms of the Payment Processing Agreements.

¹ Unless otherwise defined herein, capitalized terms have the meaning ascribed to them in the Motion.

The Payment Processing Companies are authorized to continue to set off the Processing Obligations against amounts remitted to the Debtor, whether arising before or after the Petition Date, in a manner consistent with past practices.

6. Notwithstanding the relief granted in this Interim Order and any actions taken pursuant to such relief, nothing in this Interim Order shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of the Debtor's or any other party in interest's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Interim Order or the Motion; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to § 365 of the Bankruptcy Code; or (f) a waiver of the Debtor's or any other party in interest's rights under the Bankruptcy Code or any other applicable law.

7. Notwithstanding anything to the contrary in this Interim Order, any payment made or action taken by the Debtor pursuant to the authority granted in this Interim Order must be in compliance with, and shall be subject to, any orders approving the Debtor's use of cash collateral.

8. To the extent there is any inconsistency between the terms of any order governing the use of cash collateral and this Interim Order, the terms of the order governing the use of cash collateral shall control.

9. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Interim Order are immediately effective and enforceable upon its entry.

10. The Debtor is authorized to take all actions necessary to effectuate the relief granted in this Interim Order.

11. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.

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